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PTO/SB/21 (08-00)

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	10/766.315	
	<b>Filing Date</b>	January 27, 2004	
	<b>First Named Inventor</b>	JONES, Emerson P.	
	<b>Group Art Unit</b>	3622	
	<b>Examiner Name</b>	Not yet assigned	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	G08.070

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO-1449, 25 cited references, and Acknowledgement Postcard.
<b>Remarks</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Kurt M. Maschoff
Signature	
Date	October 26, 2004

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Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: JONES et al.

Application No.: 10/766,315

Filing Date: January 27, 2004

For: METHOD AND APPARATUS FOR  
CONDUCTING A TRANSACTION

) Group Art Unit: 3622  
)  
) Examiner: Not yet assigned  
)  
) **INFORMATION DISCLOSURE**  
) **STATEMENT**  
)  
) Attorney Docket No.: G08.070  
)  
) Buckley, Maschoff & Talwalkar LLC  
) Five Elm Street  
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**CERTIFICATE OF MAILING UNDER 37 CFR 1.8**

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Dated: October 26, 2004 By:

*Edith Martin*  
Edith Martin

Commissioner for Patents  
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**INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor

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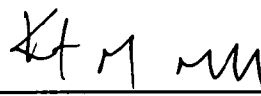
shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 CFR §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

No fee is believed to be due under 37 CFR §1.17(p) for this Information Disclosure Statement since its being filed before the mailing date of first office action on the merits.

Respectfully submitted,

October 26, 2004  
Date

  
\_\_\_\_\_  
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

Sheet

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of

4

**Complete if Known****Application Number**

10/766,315

**Filing Date**

January 27, 2004

**First Named Inventor**

**JONES, Emerson P.**

## Group Art Unit

3622

Examiner Name

Not yet assigned

Attorney Docket Number

G08.070

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

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Signature**

/James Vezeris/

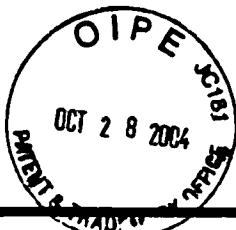
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Substitute for form 1449A/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		Application Number	10/766,315
		Filing Date	December 17, 2003
		First Named Inventor	JONES, Emerson P.
		Group Art Unit	3622
		Examiner Name	Not yet assigned
		Attorney Docket Number	G08.070
Sheet	2	of	4

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
/J.V./	L	ABN-AMRO HYPA, "...an equity-linked financial product available to Australian inventors", 4pgs.	
/J.V./	M	Capkun, Vedran and Kraft, Pepa, Master Thesis, "An Exploration of Exchangeable Bonds in Europe", University of Lausanne/HEC, Master of Science in Banking and Finance, 49pgs.	
/J.V./	N	Shin, Soonkyu, "A Note on Mandatory Convertible Securities", May 13, 2003, Brown Brothers Harriman, Insurance Asset Management, 5pgs.	
/J.V./	O	Nyborg, Kjell G., "Convertible Debt as Delayed Equity: Forced versus Voluntary Conversion and the Information Role of Call Policy", Journal of Financial Intermediation 4, (1995), London Business School, London NW1 4SA, UK, ISSN:1042-9573, pp. 358-395.	
/J.V./	P	Star, Marlene Givant, "Racy Models Enter Convertibles Market", Pensions & Investments, 23 (21), October 16, 1995, ISSN: 1050-4974, Crain Communications Inc., 3pgs.	
/J.V./	Q	Chidambaran, N.K., Fernando, Chitru S., and Spindt, Paul A., "Credit Enhancement Through Targeted Risk Management: Freeport-McMoRan's Gold-Denominated Depositary Shares", October 1998, 36pgs.	
/J.V./	R	Hawthorne, Bruce N., Graham, John L., and Schubert, Elizabeth M., "Equity Derivatives", King & Spalding, September 2001, 16pgs.	
/J.V./	S	"FIN-622 Financial Engineering from a Corporate Perspective - A Primer on Debt Securities with Embedded Options: The Case of Warrants and Convertibles", 9pgs.	
/J.V./	T	Gentry, William M. and Schizer, David M., "Fractions and Tax-Motivated Hedging: An Empirical Exploration of Publicly-Traded Exchangeable Securities", September 2002, 54pgs.	

Examiner Signature	Date Considered
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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Filing Date	January 27, 2004
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Group Art Unit	3622
Examiner Name	Not yet assigned
Attorney Docket Number	G08.070

### OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

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/J.V./	U	Doherty, Neil A., & Harrington, Scott E., "Investment Incentives, Bankruptcies and Reverse Convertible Debt", March, 1995, Wharton School, University of Pennsylvania, 35pgs.	
/J.V./	V	Craig M. Lewis, Richard J. Rogalski, and James K. Seward, "Is Convertible Debt a Substitute for Straight Debt or for Common Equity?", August 1999, 43pgs.	
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/J.V./	Z	Sherwood, Robert J. and Walter, S. Lee, "A Review and Comparison of Investment Methods for New Business Ventures", A White Paper, ©2002 Berberick Sherwood & Associates, 26pgs.	
/J.V./	AA	Boczar, Thomas J., Esq., "Conceptualizing & Implementing A Stock Concentration Risk Management Program", [online] Twenty-First Securities Corporation, Trusts & Investments, November/December 1998, [retrieved on 2004-02-04]. 7pgs.	
/J.V./	BB	"Lecture 10: Structured Notes and Hybrid Securities", Structured Finance & ART (Culp), Bus351152-81, Autumn 2003, 26pgs.	
/J.V./	CC	Brennan, Michael J. and Schwartz, Eduardo S., "The Case for Convertibles", Journal of Applied Corporate Finance, University of California, pp. 55-64.	

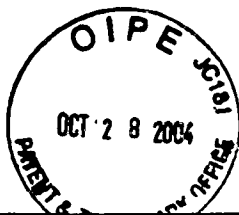
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/J.V./	DD	McConnell, John J. and Schwartz, Eduardo S., "The Origin of LYONs: A Case Study in Financial Innovation", Continental Bank, Journal of Applied Corporate Finance, pp. 40-47.	
/J.V./	EE	Kang, Jun-Koo, Lee, Yul W., "The Pricing of Convertible Debt Offerings", Journal of Financial Economics, 41 (1996), SSDI:0304-405X, © 1996 Elsevier Science S.A., pp. 231-248.	
/J.V./	FF	"Why Issue Mandatory Convertibles? Theory and Empirical Evidence", February 2003, 59pgs.	
/J.V./	GG	Nelken, Lizzy, Handbook of Hybrid Instruments: "Convertible Bonds, Preferred Shares, Lyons, ELKS, DECS and other Mandatory Convertible Notes", John Wiley & Sons, Ltd., 2000, 80pgs.	
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/J.V./	II	Das, Satyajit, "Structured Products & Hybrid Securities", John Wiley & Sons (Asia) Pte Ltd., 2001, pp. 401-508.	
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